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Date: March 14, 2013  
To: Public School Superintendents / Title I Directors  
From: Diane Stuehmer, Title I & Federal Programs Administrator  
RE: NDE 34-014, Nonpublic School Participation Form **DUE MAY 1, 2013**  
NDE 04-012, Nonpublic School Participation form for Title I **DUE MAY 1, 2013**  
*Consultation is for the 2013-14 school year allocations*

The Uniform Provisions Section 9501 of the Elementary and Secondary Education Act (ESEA), reauthorized as the No Child Left Behind Act of 2001 (NCLB), requires that every district receiving grants for federal program(s) provide equitable services and meet the needs of eligible Nonpublic School students and/or teachers and other education personnel. **Every public school district in Nebraska having one or more nonpublic school located within the district's geographic boundaries must submit a signed Nonpublic School Participation Form (NDE 34-014) on an annual basis for each nonpublic school located within the boundaries of your district. See attached list: Title IC-III Non Public Consult 2013-2014.**

Districts are required to document that each of the Nonpublic Schools within its boundaries was consulted in design and implementation, including making decisions about the use of those funds. **The consultation should include use of school year 2013-14 ESEA/NCLB allocations.** Additional information is available in the *Non-Regulatory Guidance: Title IX, Part E, Uniform Provisions, Subpart 1—Private Schools*. It can be found at the following web site: <http://www.ed.gov/policy/elsec/guid/equitableseguidance.doc>

The enclosed Form, NDE 34-014, consolidates the following NCLB programs:

**FORMULA PROGRAMS**

Title I, Part C—Migrant Education  
Title II, Part A—Teacher and Principal Training  
Title III, Part A—Limited English Proficient  
Title III, Part A—Immigrant Education

**COMPETITIVE PROGRAMS**

Title II, Part B—Math and Science Partnerships  
Title IV, Part B—21<sup>st</sup> Century Community Learning Centers  
Title X, Part C—Homeless Education

Also attached is a copy of the ***Title I, Part A Nonpublic Participation Form (NDE 04-012)***. Your district must consult with nonpublic schools that have reported having low-income school aged children attending from your district. **The consultation should include use of remaining school year 2012-13 Title I funds as well as the 2013-14 allocations.** Title I, Part A programs must annually collect the number of resident public and nonpublic school students and the number of resident low-income public and nonpublic school students, by attendance area, to determine building eligibility and allocation of the Title I funds among eligible public and nonpublic school buildings.

The Free and Reduced Lunch data was submitted by nonpublic schools in the fall of 2012 on the "Nonpublic Membership Report," which is in the NDE Consolidated Data Collection (CDC). This report confirms the number of low-income students attending nonpublic schools who reside in your district. Districts with Title I programs must contact **all** nonpublic schools where any low-income children from their district attend to determine if the low-income nonpublic students reside in an eligible attendance area.

Please complete one copy of Form NDE 04-012, Title I, Part A Nonpublic Consultation Form, for each nonpublic school **listed on the attached document (TitleI\_NPMem\_rpt\_2\_28\_2013)** that has reported low-income students attending their school who reside in your district. It is the responsibility of the public school district to consult with the nonpublic school. During this consultation, it is decided what type of services, if any, will be provided for the eligible nonpublic students. If, during the consultation, it is deemed that there are no eligible students attending

the nonpublic school, please complete Part I of the form and indicate such by writing a statement in the Comment Box (1.2) and return it to the NDE Title I Office. Signatures are still required.

In 2006, the United States Department of Education produced a Title I Resource Kit, "Ensuring Equitable Services to Private School Children." The Toolkit provides abundant resources that may be helpful as you begin the consultation process for Title I services. The document can be downloaded at <http://www.ed.gov/programs/titleiparta/ps/titleitoolkit.pdf>

The ESEA/NCLB Consolidated Application for 2013-14 will be online in the Grants Management System (GMS). The Nonpublic School Participation Forms are the only "paper" required for the application. If these forms are not submitted, the district's application cannot be approved. When applicable, please submit printed copies of the attached form(s) with original signatures to the NDE Federal Programs Office by May 1, 2013. Scanned documents are acceptable. **Deadlines are deadlines; and ESEA NCLB funds for your district may be in jeopardy if forms are not received by the May 1<sup>st</sup> deadline.**

If your district does not appear on either of the attached lists, you may disregard this message.

If you have questions, please contact Edy Clark at [edy.clark@nebraska.gov](mailto:edy.clark@nebraska.gov) or 402-471-2481. You may also contact the NDE staff person responsible for reviewing the ESEA/NCLB application for your district.

Attachments: NDE Form 34-014  
Titles IC-III Consultation List  
NDE Form 04-012  
Title I Consultation List